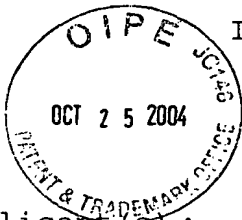


PATENT APPLICATION



IN THE U.S. PATENT AND TRADEMARK OFFICE

October 20, 2004

Applicant(s) : Klaus HORSTMANN
For : SEPARATING DEVICE AND FILM DISPENSER

Serial No. : 10/619 538 Group: 3724
Confirmation No.: 5952
Filed : July 15, 2003 Examiner: Unknown
Atty. Docket No.: GKS 395
Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is a response to the Patent Office communication mailed September 24, 2004, a copy of which is enclosed.

(Please see following pages.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10-21-04.

Respectfully submitted,


David G. Boutell

Pursuant to 37 CFR 1.52, 1.53 and/or 1.62, this application was filed without at least one of the filing fee, the English language text and/or the oath or declaration, and was granted the serial number and filing date set forth in the caption of this response. Accordingly, the items listed below are being submitted herewith:

☒ Copy of PTO communication mailed September 24, 2004.

☒ Declaration or Oath

☐ Attached to the Declaration or Oath is a copy of the specification which was filed in the Patent Office in order to obtain a filing date for this application.

☐ Verified English translation of originally-filed foreign language text.

☐ Preliminary Amendment Cancelling Claims (Please enter before calculating the filing fee.)

☒ Amendment Before First Office Action

☒ Information Disclosure Statement

☐ Small entity status is claimed. See 37 CFR 1.27.

☐ Statement(s) re small entity is/are enclosed.

☒ Acknowledgment Postal Card

☒ Priority is claimed under 35 USC 119 based on Germany Application No. 201 00 760.6, filed January 16, 2001.

☐ A certified copy of the priority application is enclosed.

☒ The filing fee is as follows:

☐ Design Application - ☐ \$350.00 (large entity)
☐ \$175.00 (small entity)

☒ Utility Application - as calculated below:

For	No. Filed	No. Extra	(X) LG Entity	RATE	() SM Entity	Fee
Basic Fee				\$790.00	\$395.00	\$790.00
Total Claims	(44 - 20 = 24)		x	\$ 18.00	x \$ 9.00	432.00
Indep. Claims	(2 - 3 = 0)		x	\$ 88.00	x \$ 44.00	0.00
[] Multiple Dep. Claim			+	\$300.00	+	\$150.00
* * * TOTAL FILING FEE * * *						\$1,222.00

☒ The surcharge under 37 CFR 1.16(e) for late filing of the basic filing fee and/or the oath or declaration is as follows:

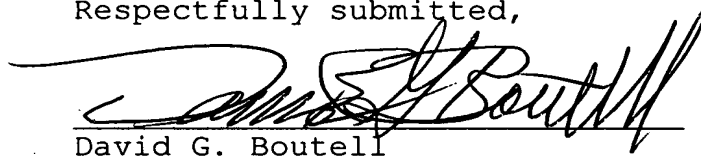
☒ \$130.00 (large entity)

☐ \$ 65.00 (small entity)

- ☐ The fee under 37 CFR 1.17(i) for filing a foreign language text:
- ☐ was submitted previously.
- ☐ is \$130.00 and is included in an enclosed check.
- ☒ A check for \$1,352.00 is enclosed to cover fees.
- ☐ Please charge my Deposit Account No. 06-1382 in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16
- ☒ Any patent application processing fees under 37 CFR 1.17
- ☐ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- ☐ Any patent application processing fees under 37 CFR 1.17
- ☐ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

IN DUPLICATE


David G. Boutell

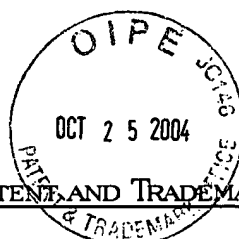
DGB\pcq

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Donald J. Wallace	Reg. No. 43 977
Sidney B. Williams, Jr.	Reg. No. 24 949

Encl: Listed above

115.10/04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/619,538	07/15/2003	Klaus Horstmann	GKS 395

CONFIRMATION NO. 5952

FORMALITIES LETTER



OC000000013887781

23474
 FLYNN THIEL BOUTELL & TANIS, P.C.
 2026 RAMBLING ROAD
 KALAMAZOO, MI 49008-1699

Date Mailed: 09/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$432 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1332** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

10/26/2004 RMEBRAHT 00000039 10619538

01 FC:1001
 02 FC:1051
 03 FC:1202

790.00 OP
 130.00 OP
 432.00 OP

- Total additional claim fee(s) for this application is **\$432**

- **\$432** for **24** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

T. TU
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE